

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

BRIAN GROFF,

Plaintiff,

v.

7:05-CV-54

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

CONBOY, McKAY LAW FIRM
307 State Street
Carthage, New York 13619
Attorney for Plaintiff

LAWRENCE D. HASSELER, ESQ.

HON. GLENN T. SUDDABY
United States Attorney for the
Northern District of New York
100 S. Clinton Street
P.O. Box 7198
Syracuse, New York 13261
Attorney for Defendant

WILLIAM H. PEASE
Assistant United States Attorney

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge Randolph F. Treece, duly filed on the 18th day of August 2008. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

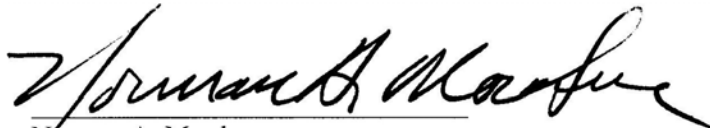
After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The Commissioner's decision denying SSI benefits is vacated and remanded for further proceedings pursuant to sentence four of 42 U.S.C. §405(g).
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: September 3, 2008
Syracuse, New York

A handwritten signature in black ink, appearing to read "Norman A. Mordue", written over a horizontal line.

Norman A. Mordue
Chief United States District Court Judge